

ASSEMBLY BILL

No. 2853

Introduced by Assembly Member Salinas

February 24, 2006

An act to add Section 3150.5 to the Family Code, relating to family law.

LEGISLATIVE COUNSEL'S DIGEST

AB 2853, as introduced, Salinas. Family law proceedings: San Benito County pilot project.

Existing law provides for appointment of investigators and child custody evaluators in contested family law proceedings in which child custody or visitation is in dispute.

This bill would create in San Benito County, until January 1, 2010, a pilot project in which a family law court would, in the court's discretion, appoint a multidisciplinary team of professionals who shall support the attorney to represent the best interests of a child in family law matters when the custody of the child is in dispute and one party to the action has accused the other party of domestic violence or of child abuse against the child who is the subject of the custody dispute, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3150.5 is added to the Family Code, to
2 read:
3 3150.5. (a) There is hereby created in San Benito County a
4 pilot project in which a family law court shall appoint a

1 multidisciplinary team of professionals who shall support the
2 attorney appointed to represent the best interests of a child in
3 family law matters when the custody of the child is in dispute
4 and either of the following applies:

5 (1) One party to the action has accused the other party of
6 domestic violence.

7 (2) One party has alleged that the other party has committed
8 child abuse against the child who is the subject of the custody
9 dispute.

10 (b) The multidisciplinary team shall be appointed by, and only
11 at the discretion of, the court. The team shall include a paralegal,
12 a psychologist, an investigator, a social worker, a counselor or
13 therapist, and a medical professional each of whom shall have
14 experience in assessing and presenting evidence on child abuse
15 and domestic violence.

16 (c) The multidisciplinary team shall investigate and present
17 evidence supporting the investigation into the issue of the child's
18 best interest as it relates to the allegations of child abuse and
19 domestic violence.

20 (d) The pilot project shall include a research component that
21 shall result in the creation of a protocol and a policy that may be
22 implemented in other counties throughout the state.

23 (e) All funding for the pilot project shall be obtained from
24 private, nonprofit organizations. There shall be no cost to the
25 county for the implementation of this pilot project. This section
26 shall become operative only after independent sources of funding
27 are identified or become available.

28 (f) This section shall remain in effect only until January 1,
29 2010, and as of that date is repealed, unless a later enacted
30 statute, that is enacted before January 1, 2010, deletes or extends
31 that date.